

STATE OF NEW YORK

2132

2019-2020 Regular Sessions

IN SENATE

January 22, 2019

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the public housing law, in relation to requiring the commissioner of community housing and renewal and the superintendent of financial services to create an annual report regarding residential subsidies provided by public agencies

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Legislative findings and intent. There is an affordable
2 housing crisis in New York State, especially for low- and moderate-in-
3 come families. Developing housing for low- and moderate-income families
4 requires subsidies through municipal programs and federal programs
5 administered by municipalities. Reporting requirements regarding the use
6 of these subsidies will assist the municipal agencies to develop and
7 review housing programs in order to achieve the best use of the limited
8 available resources.

9 § 2. The public housing law is amended by adding a new section 16-a to
10 read as follows:

11 § 16-a. Reporting requirements for subsidized housing programs. a.
12 Definitions. For the purposes of this section, the following terms shall
13 have the following meanings:

14 1. The term "public agency" shall mean any county, city, town,
15 village, school district, improvement district or district corporation
16 of the state of New York; and any local governmental unit, subdivision,
17 or special district of another state.

18 2. "Dwelling" means any building or structure or portion thereof which
19 is occupied in whole or in part as the home, residence or sleeping place
20 of one or more human beings.

21 3. "Dwelling unit" means any residential accommodation in a multiple
22 dwelling or private dwelling.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 4. "Household" means all lawful occupants of a residential unit.

2 5. "Household income" means, for any household, the sum of the amount
3 reported separately in the most recent individual or joint tax return
4 for wage or salary income, net self-employment income, interest, divi-
5 dends, rent received, royalties, social security or railroad retirement
6 benefits; supplemental security income; public assistance or welfare
7 payments; retirement or disability benefits and all other income for
8 each member of the household.

9 6. "Multiple dwelling" means a dwelling which is either rented,
10 leased, let or hired out, to be occupied, or is occupied, as the resi-
11 dence or home of three or more families living independently of each
12 other. A multiple dwelling does not include a hospital, convent, monas-
13 tery, asylum or public institution.

14 7. "Private dwelling" shall mean any building or structure designed
15 and occupied for residential purposes by not more than two families.
16 Private dwellings shall also be deemed to include a series of one-family
17 or two-family dwelling units each of which faces or is accessible to a
18 legal street or public thoroughfare, if each such dwelling unit is
19 equipped as a separate dwelling unit with all essential services, and if
20 each such unit is arranged so that it may be approved as a legal one-fa-
21 mily or two-family dwelling.

22 8. "Project-based section 8 subsidy" means a project-based federal
23 rental assistance payment, as described in subdivision b of section
24 982.1 of title 24 of the code of federal regulations.

25 9. "Residential project" means the acquisition, construction, develop-
26 ment, rehabilitation or renovation of any property, including buildings,
27 zoned for residential use for which any public agency provides any resi-
28 dential subsidy.

29 10. "Residential subsidy" means a benefit or incentive provided by any
30 public agency to any person in connection with any residential project,
31 including, but not limited to, loans, loan guarantees, loan partic-
32 ipation, letters of credit, grants, sales or leases of property at less
33 than fair market value, tax exemptions, tax abatements, the allocation
34 by a public agency to a residential project of low-income housing tax
35 credits or project-based section 8 subsidies, but shall not include tax
36 exemptions or tax abatements related to historic preservation or energy
37 conservation, and benefits or incentives granted directly to a natural
38 person or persons for the purchase of a one- to four-family dwelling as
39 the principal residence of such person or persons.

40 b. The commissioner and the superintendent of financial services shall
41 jointly prepare an annual report which shall be submitted to the gover-
42 nor and the legislature on or before the first day of January, regarding
43 residential subsidies provided by any public agency during the imme-
44 diately preceding fiscal year, including the fiscal year ending March
45 thirty-first, two thousand nineteen. Every public agency that provides a
46 residential subsidy shall provide the information required in such
47 report to the commissioner and the superintendent of financial services
48 within sixty days from the end of the fiscal year for which the report
49 is being prepared. This report shall contain, but shall not be limited
50 to, the following information:

51 1. The dollar amount of such residential subsidies by category of
52 residential subsidy;

53 2. The dollar amount of residential subsidies by areas, as determined
54 by the commissioner;

1 3. The dollar amount of residential subsidies provided to create
2 rental dwelling units, including, but not limited to, those created by
3 mutual housing associations;

4 4. The dollar amount of residential subsidies provided to sale
5 programs, including but not limited to, those assisting in the purchase
6 of one- to four-family dwellings, multiple dwellings, dwelling units
7 owned as condominiums and dwelling units owned cooperatively;

8 5. The dollar amount of residential subsidies provided for each resi-
9 dential project; and

10 6. The number of dwelling units in residential projects receiving
11 residential subsidies, divided according to the following household
12 income groups as percentages of median income for the area: 0-24; 25-40;
13 41-60; 61-90; 91-120; 121-150; 151-200; 201-250; 251-300; above 300%.

14 § 3. This act shall take effect on the ninetieth day after it shall
15 have become a law.